

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14544 of 2023**

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Ash Mahammad Gadi Son of Gani Gadi, Resident of Village- Line Parasa,  
P.S. - Balthar, District - West Champaran at Bettiah (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The Sub-Divisional Officer, Narkatiyaganj, West Champaran.
4. The Circle Officer, Sikata, West Champaran.
5. Allauddin Gadi, Son of Late Jalim Gadi, Resident of Village- Line Parasa, P.S. - Balathar, District - West Champaran (Bihar).
6. Salauddin Gadi, Son of Late Jalim Gadi, Resident of Village- Line Parasa, P.S. - Balathar, District - West Champaran (Bihar).
7. Reyazool Gadi, Son of Meena @ Maneer Gadi, Resident of Village- Line Parasa, P.S. - Balathar, District - West Champaran (Bihar).

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Tejendra Sinha, Adovcate  
For the Respondent/s : Mr. Sajid Salim Khan ( SC- 25 )

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      30-04-2024                      The present writ petition has been filed  
seeking the following reliefs:-

*"1.(I) For issuance of an appropriate Writ/Writs in the nature of Mandamus commanding and directing upon the Respondents to remove the illegal encroachment over the public road described as Gair Mazaruya Public Land, (Aam Rasta) under the Khata No.173, Plot No.567, Thana No.327 situated at Mauza-Parasa, Anchal-Sikata, West Champaran.*

*That the said public road encroached by the local muscle men clearly*



*shows by the report of Anchal Amin (Annexure-7) which causes hindrance in outgress and ingress of people.*

*(II) Further for issuance of an appropriate Writ(s) commanding and directing upon the respondent Circle Officer, Sikata to take legal action against the encroachers and remove the same for the public interest."*

2. At the outset, the learned counsel for the private respondent no. 6 submits that against the final order passed by the Circle Officer, Sikata District-West Champaran, in connection with Encroachment Case No. 9 of 2022-23, the private respondents no. 5 to 7 have filed an Appeal bearing Appeal No. 16 of 2023-24, before the Collector, West Champaran, whereafter they had approached this Court against the notice of eviction dated 15.06.2023, by filing a writ petition bearing CWJC No. 17512 of 2023 and a coordinate Bench of this Court vide order dated 18.12.2023 has directed the respondents not to disturb the possession of the petitioner till the aforesaid appeal is decided by the Collector, West Champaran.

3. At this juncture, the learned counsel for the petitioner submits that the Collector, West



Champanan be directed to decide the aforesaid appeal within a stipulated time frame.

4. The learned counsel for the respondent-State submits that in case the aforesaid appeal filed by the private respondent is still pending, the same would definitely be decided within a stipulated time frame.

5. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Collector, West Champaran to decide the aforesaid appeal, filed by the private respondents, within a period of eight weeks of receipt/production of a copy of this order.

6. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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